

2007 DRAFTING REQUEST

Assembly Resolution

Received: **02/19/2008**

Received By: **rchampag**

Wanted: **Today**

Identical to LRB:

For: **Michael Huebsch (608) 266-3387**

By/Representing: **Jodi**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Huebsch@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Heller amicus brief authorization

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rchampag 02/19/2008	wjackson 02/19/2008	pgreensl 02/19/2008	_____	sbasford 02/19/2008	cduerst 02/20/2008	

FE Sent For:

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rchampag

1 wlj 2/19

2/14
P8

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P8/15

FE Sent For:

<END>

Champagne, Rick

From: Jensen, Jodi
Sent: Monday, February 18, 2008 4:50 PM
To: Champagne, Rick
Subject: Fw: Heller Amicus Brief Authorization Resolution

Attachments: Assembly resolution re Heller amicus brief 2008-02-14 CGW draft2.doc

Hi Rick - I had called you about this issue a few weeks ago. The Speaker has agreed to put a resolution on the floor authorizing the AG to file an amicus brief. I haven't had a chance to look at the attached yet but hope it's sufficient to draft a resolution. Take a look and let me know if you need more information. We'll likely take it up on the 26th. Thanks.

-----Original Message-----

From: Polzin, Cindy M. <polzinm@doj.state.wi.us>
To: Jensen, Jodi
Sent: Mon Feb 18 16:38:52 2008
Subject: Heller Amicus Brief Authorization Resolution



Assembly resolution
re Heller ...

Hi Jodi -

Attached is the language for the authorization for the amicus in the 2nd amendment Heller case for drafting. Thanks and let me know if you have any questions.

Cindy

From: Taffora, Raymond P.
Sent: Monday, February 18, 2008 4:36 PM
To: Polzin, Cindy M.
Cc: St. John, Kevin M.; Potter, Kevin; Means, Steven P.
Subject: Heller Amicus Brief Authorization Resolution

A draft resolution for the Assembly to authorize our amicus brief in the Second Amendment case.

Raymond P. Taffora

Deputy Attorney General

Wisconsin Department of Justice

Room 114 East, State Capitol

Madison, WI 53702

608/266-1221

tafforarp@doj.state.wi.us

From: Smith, Peggy S.
Sent: Monday, February 18, 2008 4:27 PM
To: Taffora, Raymond P.
Subject:

Peggy Sue Smith
Administrative Assistant
Office of the Attorney General
Wisconsin Department of Justice
17 West Main Street
P.O. Box 7857
Madison, WI 53707-7857
Phone: (608) 266-7876
Fax: (608) 267-2779

Relating to: the filing of an *amicus curiae* brief by the Attorney General in the Supreme Court of the United States.

Whereas, during its current Term, the Supreme Court of the United States will consider in *District of Columbia v. Dick Anthony Heller*, No. 07-290, the question of whether the Second Amendment to the United States Constitution embraces an individual's right "to keep and bear Arms" for purposes unrelated to service in a militia or other military organization; and

Whereas, the Supreme Court of the United States has not yet held that the Second Amendment protects against federal encroachment an individual's right to "to keep and bear Arms" for purposes unrelated to service in a militia or other military organization; and

Whereas, Wisconsin citizens, through Section 25 of Article I of the Wisconsin Constitution, have unequivocally protected in Wisconsin an individual's "right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose"; and

Whereas, the Wisconsin Assembly desires that the Supreme Court of the United States be advised of Wisconsin citizens' interest in

having the Court's decision in *District of Columbia v. Dick Anthony Heller*, No. 07-290, protect from federal encroachment the right of individuals under the Wisconsin Constitution to keep and bear arms for purposes unrelated to service in a militia or other military organization; and

Whereas, the Wisconsin Assembly desires that the Supreme Court of the United States be advised of Wisconsin citizens' interest in having the Court's decision in *District of Columbia v. Dick Anthony Heller*, No. 07-290, preserve Wisconsin citizens' right to decide the scope of this protection under the Wisconsin Constitution; and

Whereas, the Attorney General of Wisconsin has prepared an *amicus curiae* brief that will advise the Supreme Court of the United States of Wisconsin citizens' concerns and interests regarding the Court's decision in *District of Columbia v. Dick Anthony Heller*, No. 07-290; now, therefore, be it

Resolved by the Assembly, that pursuant to section 165.25(1) of the Wisconsin Statutes, the Assembly authorizes the Attorney General to file in the Supreme Court of the United States a brief as *amicus curiae* in support of the respondent in *District of Columbia v. Dick Anthony Heller*, No. 07-290.

(END)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-4119/1

RAC:/:....

Wlj

Today

2007 ASSEMBLY RESOLUTION

1 **Relating to:** requesting the filing of an *amicus curiae* brief by the attorney general
2 in the Supreme Court of the United States.

3 ***Resolved by the assembly, That:***

4 Whereas, during its current term, the Supreme Court of the United States will
5 consider in *District of Columbia v. Dick Anthony Heller*, No. 07-290, the question of
6 whether the Second Amendment to the United States Constitution embraces an
7 individual's right "to keep and bear Arms" for purposes unrelated to service in a
8 militia or other military organization; and

9 Whereas, the Supreme Court of the United States has not yet held that the
10 Second Amendment protects against federal encroachment of an individual's right
11 to "to keep and bear Arms" for purposes unrelated to service in a militia or other
12 military organization; and

13 Whereas, Wisconsin citizens, through Article I, section 25, of the Wisconsin
14 Constitution, have unequivocally protected in Wisconsin an individual's "right to

1 keep and bear arms for security, defense, hunting, recreation or any other lawful
2 purpose"; and

3 Whereas, the Wisconsin assembly desires that the Supreme Court of the United
4 States be advised of Wisconsin citizens' interest in having the Supreme Court's
5 decision in *District of Columbia v. Dick Anthony Heller*, No. 07-290, protect from
6 federal encroachment the right of individuals under the Wisconsin Constitution to
7 keep and bear arms for purposes unrelated to service in a militia or other military
8 organization; and

9 Whereas, the Wisconsin assembly desires that the Supreme Court of the United
10 States be advised of Wisconsin citizens' interest in having the Supreme Court's
11 decision in *District of Columbia v. Dick Anthony Heller*, No. 07-290, preserve
12 Wisconsin citizens' right to decide the scope of this protection under the Wisconsin
13 Constitution; and

14 Whereas, the attorney general of Wisconsin has prepared an *amicus curiae*
15 brief that will advise the Supreme Court of the United States of Wisconsin citizens'
16 concerns and interests regarding the Supreme Court's decision in *District of*
17 *Columbia v. Dick Anthony Heller*, No. 07-290; now, therefore, be it

18 **Resolved by the assembly, That** pursuant to section 165.25 (1m) of the
19 Wisconsin statutes, the assembly authorizes the attorney general to file in the Supreme Court
20 of the United States a brief as *amicus curiae* in support of the respondent in *District*
21 *of Columbia v. Dick Anthony Heller*, No. 07-290.

22 (END)

Basford, Sarah

From: Hochkammer, Debbie
Sent: Wednesday, February 20, 2008 9:00 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-4119/1 Topic: Heller amicus brief authorization

Please Jacket LRB 07-4119/1 for the ASSEMBLY.